

12/13/01



JCS20 U.S. PTO

S/N UNKNOWN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rademacher, et al. Serial No.: UNKNOWN  
Filed: CONCURRENT HEREWITH Docket No.: 635.347US01  
Title: METHOD AND APPARATUS FOR REDUCING RANDOMLY,  
CONTINUOUS, NON-STATIONARY DISTORTIONS IN AUDIO SIGNALS

PATENT

1996 U.S. PTO  
10/04421

12/13/01

## CERTIFICATE UNDER 37 C.F.R. 1.10:

'Express Mail' mailing number: EL733008920US

Date of Deposit: 14 December 2001

The undersigned hereby certifies that this Transmittal Letter and the paper or fee, as described herein, are being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

By: Lee Thao  
Lee Thao

Box Filing Date  
Assistant Commissioner for Patents  
Washington, D.C. 20231

- ☒ Communication to Establish Filing Date of 13 December 2001
- ☒ Statement of Filing under 37 CFR 1.10 by Person who Transported the Filing to the Post Office and Message re: Notice of Suspension
- ☒ Express Mail package as presented to USPTO on 13 December 2001 containing application papers
- ☒ Transmittal Sheet
- ☒ Return postcard

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

ALTERA LAW GROUP, LLC  
6500 City West Parkway, Suite 100  
Minneapolis, MN 55344-7701  
(952) 912-0527

Dated: 14 December 2001

Michael B. Lasky  
Michael B. Lasky  
Atty. Reg. Number 29,555  
MBL/mka

S/N UNKNOWN

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By: Lee Thao

Lee Thao

COMMUNICATION TO ESTABLISH FILING DATE OF 13 DECEMBER 2001

BOX FILING DATE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant encloses an Express Mail envelope containing a new application, as well as a Statement of Filing by the person who transported the envelope to the Post Office. Applicant attempted to file this application on 13 December 2001, however the Post Office declined to accept the filing. Applicant is now re-submitting the application, along with a request that a filing date of 13 December 2001 be assigned. The details follow.

Applicant is aware that the US Postal Service temporarily suspended Express Mail service to Washington, D.C. zip codes 202xx through 205xx beginning 20 November 2001, and that a temporary address was established on an emergency basis. However, following the preferred procedure outlined on the USPTO website on 5

*Receipt date  
granted is  
12/13/01.  
J. Chang  
from  
OPLA*

December 2001, Applicant attempted to send the enclosed application to the address set forth in 37 CFR 1.1(a)(1), i.e. an address with a 20231 zip code on 13 December 2001.

US postal employees refused to accept the package, and presented the person who transported the filing with a report regarding suspension of express mail of zip codes 202-205 dated 21 November 2001. The postal employees refused to accept the package even after several attempts by the person who transported the filing to mail the package, and the person who transported the filing was left with no choice but to leave the post office without mailing the package. The person who transported the filing kept the package in her care until she notified her employer, Altera Law Group of the incident the next day.

Upon discovery of what happened, attorneys at Altera Law Group called the Patent Office and were directed to the USPTO website which listed guidelines regarding suspension of Express mail service to ZIP codes 202xx through 205xx, as well as guidelines for US Postal Service Interruptions Relating to Express Mail service. That notice follows:

**In some cases, due to the recent emergency, certain post offices are refusing to accept the deposit of mail for delivery by Express Mail service. The USPTO is also designating this interruption in the Express Mail service of the USPS as a postal service interruption within the meaning of 35 U.S.C. 21(a) and 37 CFR 1.6(e). In addition, if a party attempts to deposit correspondence for delivery to the USPTO with the USPS by Express Mail under 37 CFR 1.10 ("Express Mail Post Office to Addressee") and the USPS refuses to accept such correspondence, the party is advised to take the following action: mail the correspondence to the USPTO by registered or first class mail with a statement by the person who originally attempted to deposit the correspondence with the USPS by Express Mail. The statement must indicate the date on which the person attempted to deposit the correspondence with the USPS and that the USPS refused to accept the correspondence. The statement must be signed in accordance with 37 CFR 10.18. The correspondence should be mailed as set out in 37 CFR 1.1(a) and include the special box designation: BOX FILING DATE.**

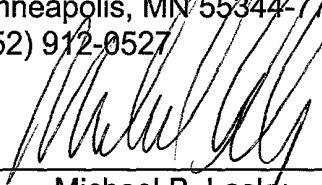
Applicant encloses the necessary statements, and requests that a filing date of 13 December 2001, the date we first attempted to mail the package, be assigned as the filing date of the application.

Please contact the undersigned attorney with any questions regarding this communication.

Respectfully submitted,

ALTERA LAW GROUP, LLC  
6500 City West Parkway, Suite 100  
Minneapolis, MN 55344-7701  
(952) 912-0527

Dated: 14 December 2001



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Michael B. Lasky  
Atty. Reg. Number 29,555  
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